

AUG 24 2005

ROBERT H. SPENGLER, CLERK
BY:  DEPUTY

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

JAMES TOWNSEND

CIVIL ACTION NO. 05-720-P

VERSUS

JUDGE HICKS

WARDEN TIM WILKINSON

MAGISTRATE JUDGE HORNSBY

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, and noting the lack of written objections filed by Petitioner and determining that the findings are correct under the applicable law;

IT IS ORDERED that Petitioner's application for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies.

Shreveport, Louisiana, on this 23rd day of August, 2005.


S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE